

**THIRTY THIRD DAY**

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MORNING SESSION

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Senate Chamber, Olympia, Friday, February 15, 2013

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Harper and Shin.

The Nisei Veterans Committee, Seattle Honor Guard consisting of Mr. Allen Nakamoto, Mr. Dale Kaku, Mr. Don Maekawa, Mr. Joe Sasaki, Mr. Frank Shinoda, Mr. Frank Muramatsu and Mr. Tom Ohtani presented the Colors. Mr. Sam Mitsui, Chaplain of the Nisei Veterans Committee, Seattle offered the prayer.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 14, 2013

SB 5097 Prime Sponsor, Senator Becker: Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Kline; Parlette; Rolfes, Ranking Member.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5188 Prime Sponsor, Senator Smith: Addressing imminent threats to commercial livestock caused by wolves. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove and Parlette.

MINORITY recommendation: Do not pass. Signed by Senator Rolfes, Ranking Member.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5195 Prime Sponsor, Senator Rolfes: Allowing nonprofit institutions recognized by the state of Washington to be eligible to participate in the state need grant program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frockt and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Kohl-Welles, Ranking Member and McAuliffe.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5209 Prime Sponsor, Senator Hobbs: Addressing licensing and enforcement provisions applicable to money transmitters. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5209 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Mullet, Vice Chair; Benton, Ranking Member; Fain; Hatfield; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5281 Prime Sponsor, Senator Carrell: Requiring an empirical study of the validity and reliability of the current child welfare safety assessment tool. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5281 be substituted therefor, and the substitute bill do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5358 Prime Sponsor, Senator Becker: Concerning people with disabilities who receive no paid services from the department of social and health services' division of developmental disabilities. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey; Cleveland; Frockt; Keiser, Ranking Member; Parlette and Schlicher.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5404 Prime Sponsor, Senator Carrell: Concerning the introduction of contraband into or possession of contraband in a secure facility. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5404 be substituted therefor, and the substitute bill do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5415 Prime Sponsor, Senator Schlicher: Updating and aligning with federal requirements hospital health care-associated infection rate reporting. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey; Cleveland; Keiser, Ranking Member; Parlette and Schlicher.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5420 Prime Sponsor, Senator Kohl-Welles: Creating a two-year freeze on tuition rates at four-year institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey, Chair; Becker, Vice Chair; Frockt; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5430 Prime Sponsor, Senator Hobbs: Modifying the distribution and use of aircraft excise taxes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Eide, Co-Chair; Hobbs, Vice Co-Chair; King, Co-Chair; Brown; Ericksen; Fain, Budget Leadership Cabinet; Harper; Mullet; Rolfes; Schlicher; Sheldon and Smith.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Benton, Vice Co-Chair.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5471 Prime Sponsor, Senator Nelson: Addressing insurance, generally. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5471 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Mullet, Vice Chair; Benton, Ranking Member; Fain; Hatfield; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5489 Prime Sponsor, Senator Mullet: Adopting the insurer state of entry model act. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Mullet, Vice Chair; Benton, Ranking Member; Fain; Hatfield; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5509 Prime Sponsor, Senator Becker: Concerning electronic timekeeping for in-home personal care or respite services. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey; Cleveland; Frockt; Keiser, Ranking Member; Parlette and Schlicher.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5558 Prime Sponsor, Senator Fain: Creating loan-making authority for down payment assistance for single-family homeownership. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Mullet, Vice Chair; Benton, Ranking Member; Fain; Hatfield; Nelson and Roach.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5622 Prime Sponsor, Senator Hewitt: Concerning the taxation of large airplanes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; Hobbs, Vice Co-Chair; King, Co-Chair; Billig; Brown; Ericksen; Fain, Budget Leadership Cabinet; Harper; Mullet; Schlicher; Sheldon and Smith.

MINORITY recommendation: Do not pass. Signed by Senator Rolfes.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5627 Prime Sponsor, Senator Eide: Concerning the taxation of commuter air carriers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; Hobbs, Vice Co-Chair; King, Co-Chair; Billig; Brown; Ericksen; Fain, Budget Leadership Cabinet; Harper; Mullet; Schlicher; Sheldon and Smith.

MINORITY recommendation: Do not pass. Signed by Senator Rolfes.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5646 Prime Sponsor, Senator Kohl-Welles: Concerning high school equivalency certificates. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frockt; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

THIRTY THIRD DAY, FEBRUARY 15, 2013

2013 REGULAR SESSION

February 14, 2013

SB 5673 Prime Sponsor, Senator Kohl-Welles: Creating a two-year freeze on tuition rates at community and technical colleges. Reported by Committee on Higher Education

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frockt; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5709 Prime Sponsor, Senator Smith: Concerning a pilot program to demonstrate the feasibility of using densified biomass to heat public schools. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Billig; Brown; Chase; Cleveland; Honeyford; Ranker, Ranking Member.

Passed to Committee on Ways & Means.

February 14, 2013

SB 5736 Prime Sponsor, Senator Bailey: Concerning higher education operating efficiencies. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frockt; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Ways & Means.

MOTION

On motion of Senator Fain, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

February 6, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALFIE ALVARADO-RAMOS, appointed January 16, 2013, for the term ending at the governor's pleasure, as a Director of the Department of Veterans Affairs.

Very truly yours,  
JAY INSLEE, Governor

Referred to Committee on Governmental Operations.

January 30, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOHN R. BATISTE, reappointed January 16, 2013, for the term ending at the governor's pleasure, as Chief of the Washington State Patrol.

Very truly yours,  
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

February 7, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MICHAEL COCKRILL, appointed January 23, 2013, for the term ending at the governor's pleasure, as Chief of the Information Officer of the state of Washington.

Very truly yours,  
JAY INSLEE, Governor

Referred to Committee on Ways & Means.

February 7, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

BRET DAUGHERTY, reappointed January 29, 2013, for the term ending at the governor's pleasure, as Adjutant General of the state of Washington.

Very truly yours,  
JAY INSLEE, Governor

Referred to Committee on Governmental Operations.

January 30, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DALE R. PEINECKE, appointed January 16, 2013, for the term ending at the governor's pleasure, as Commissioner of the Employment Security Department.

Very truly yours,  
JAY INSLEE, Governor

Referred to Committee on Commerce & Labor.

February 6, 2013

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KEVIN QUIGLEY, appointed January 16, 2013, for the term ending at the governor's pleasure, as Secretary of the Department of Social and Health Services.

Very truly yours,  
JAY INSLEE, Governor  
Referred to Committee on Human Services & Corrections.

AN ACT Relating to domestic wastewater facilities permit discharge fees; and reenacting and amending RCW 90.48.465.

Referred to Committee on Energy, Environment & Telecommunications.

January 31, 2013  
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

SB 5789 by Senators Sheldon and Schoesler

I have the honor to submit the following appointment, subject to your confirmation.

AN ACT Relating to contractor liability for industrial insurance premiums; and amending RCW 51.12.070.

JOEL SACKS, appointed January 16, 2013, for the term ending at the governor's pleasure, as a Director of the Department of Labor and Industries.

Referred to Committee on Commerce & Labor.

Very truly yours,  
JAY INSLEE, Governor

SB 5790 by Senator Litzow

Referred to Committee on Commerce & Labor.

AN ACT Relating to expanding participation in innovation academy cooperatives; and amending RCW 28A.340.080 and 28A.225.225.

Referred to Committee on Early Learning & K-12 Education.

February 6, 2013  
TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

SB 5791 by Senators Fain, Hobbs, Litzow, Eide, Hill, King, Keiser, Murray, Dammeier, Hatfield, Becker, Kohl-Welles, Honeyford and McAuliffe

I have the honor to submit the following appointment, subject to your confirmation.

AN ACT Relating to supporting youth programs through agricultural fairs and the horse racing industry; and amending RCW 15.76.100, 67.70.240, 15.76.115, 67.16.280, 67.16.105, 67.16.050, and 67.16.170.

DAVID SCHUMACHER, appointed January 16, 2013, for the term ending at the governor's pleasure, as a Director of the Office of Financial Management.

Very truly yours,  
JAY INSLEE, Governor

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

MOTION

SB 5792 by Senators Honeyford, Keiser and Becker

On motion of Senator Fain, all appointees listed on the gubernatorial appointments report were referred to the committees as designated.

AN ACT Relating to health care services for inmates in city, county, and regional jails; amending RCW 70.48.130; and adding a new section to chapter 70.41 RCW.

MOTION

Referred to Committee on Ways & Means.

On motion of Senator Fain, the Senate advanced to the fifth order of business.

SB 5793 by Senators Darneille and Conway

INTRODUCTION AND FIRST READING

AN ACT Relating to the funding of enhanced public transportation zones for public transportation systems; amending RCW 82.14.045; and providing an effective date.

SB 5786 by Senator Hargrove

Referred to Committee on Transportation.

AN ACT Relating to requiring certain information in commercial fishing guide license applications; and amending RCW 77.65.050.

Referred to Committee on Natural Resources & Parks.

SB 5794 by Senators Dammeier, Ranker, McAuliffe, Honeyford, Eide and Litzow

SB 5787 by Senators Bailey, Kohl-Welles and Cleveland

AN ACT Relating to alternative learning experience courses; amending RCW 28A.150.100, 28A.150.325, 28A.250.010, 28A.250.020, 28A.250.050, 28A.525.162, and 28A.525.166; amending 2011 1st sp.s. c 34 s 1 (uncodified); adding a new chapter to Title 28A RCW; creating a new section; and recodifying RCW 28A.150.262 and 28A.150.325.

AN ACT Relating to the Washington higher education facilities authority; and amending RCW 28B.07.030.

Referred to Committee on Ways & Means.

Referred to Committee on Higher Education.

SB 5795 by Senators Hewitt and Murray

SB 5788 by Senators Nelson, Fraser and Ranker

AN ACT Relating to the redistricting commission; and amending RCW 44.05.100 and 44.05.110.

THIRTY THIRD DAY, FEBRUARY 15, 2013

2013 REGULAR SESSION

Referred to Committee on Governmental Operations.

SB 5796 by Senators Schoesler and Ericksen

AN ACT Relating to emissions from certain emergency power sources; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5797 by Senators Hobbs and Padden

AN ACT Relating to specialty courts; adding a new section to chapter 2.28 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

SB 5798 by Senators Hobbs, Litzow, Kohl-Welles, Harper, Ranker, Nelson, Hasegawa, Hatfield, Rolfes, Keiser, Schlicher, McAuliffe, Chase, Frockt, Conway, Billig, Darneille, Kline, Fraser, Cleveland, Eide, Mullet and Murray

AN ACT Relating to preserving health insurance coverage for the voluntary termination of a pregnancy by requiring health plans issued or renewed on or after January 1, 2014, that provide coverage for maternity care or services to provide a covered person with substantially equivalent coverage to permit the voluntary termination of a pregnancy, by prohibiting a health plan from limiting in any way a woman's access to services related to the voluntary termination of a pregnancy other than terms and conditions generally applicable to the health plan's coverage of maternity care or services including applicable cost sharing, by not limiting in any way a woman's constitutionally or statutorily protected right to voluntarily terminate a pregnancy, by clarifying that health plans are not required to cover abortions that would be unlawful under RCW 9.02.120, by providing an exemption for a multistate plan that does not cover the voluntary termination of pregnancies under federal law, by making the provisions of this act inapplicable to the minimum extent necessary to avoid noncompliance with federal requirements that are a prescribed condition to the allocation of federal funds to the state, and by clarifying that nothing in this act affects the statutory right of objection based on conscience or religion as set forth in RCW 48.43.065 or 70.47.160; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

SB 5799 by Senators Schlicher, Kohl-Welles, Murray and McAuliffe

AN ACT Relating to establishing a tourism stakeholder task force for the purpose of increasing trade and economic development in Washington state; creating new sections; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

SB 5800 by Senators Schlicher, Eide and Rolfes

AN ACT Relating to limiting the scope of the department of transportation's administration of the state's ferry system; adding a new section to chapter 47.60 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 5801 by Senators Schlicher, Eide and Rolfes

AN ACT Relating to ferry fares; amending RCW 47.60.315; adding new sections to chapter 47.60 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5802 by Senators Ranker, Litzow, Frockt, Cleveland, Billig, Kohl-Welles, Murray and McAuliffe

AN ACT Relating to developing recommendations to achieve the state's greenhouse gas emission limits; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5803 by Senators Schoesler and Hargrove

AN ACT Relating to claims against public entities; amending RCW 4.22.070, 4.56.115, 4.92.005, 4.96.010, 4.92.040, 4.92.090, and 4.92.130; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5804 by Senators Baumgartner and Hill

AN ACT Relating to federal receipts reporting requirements; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

SB 5805 by Senators Hobbs, Sheldon, Holmquist Newbry, Rivers, Dammeier and King

AN ACT Relating to projects of statewide significance for economic development and transportation; amending RCW 43.157.005, 43.157.020, and 43.157.030; and reenacting and amending RCW 43.157.010.

Referred to Committee on Trade & Economic Development.

SJM 8008 by Senators Schlicher, Smith, Rolfes and Kohl-Welles

Requesting that congress pass and the president sign legislation implementing certain visa reforms.

Referred to Committee on Trade & Economic Development.

SJR 8210 by Senators Hewitt and Murray

Amending the Constitution to advance the date for completion of the redistricting plan.

Referred to Committee on Governmental Operations.

## MOTION

Senator Fain moved that all measures listed on the Introduction and First Reading report be referred to the committees as designated.

## REMARKS BY SENATOR FROCKT

Senator Frockt: "Thank you Mr. President. We have concerns that Senate Bill No. 5798 is now the third version of this bill has been introduced has not yet been scheduled for a hearing. We think this is a very important health care related bill. Other similar bills have been heard in other committees. We are not going to object today to the referral to this committee. It is our understanding that there will be, has been assurances made, that if the version of this bill comes to the senate from the other body that it will get a hearing. We, of course, have no guarantee that that will happen from the other body. So we have concerns. We would continue to request that this bill be given a hearing and, therefore, I just wanted to put that on the record Mr. President, based on the assurances that we have been given."

## REMARKS BY SENATOR FAIN

Senator Fain: Thank you Mr. President. In responding to the gentleman's statement, the bill in question were to come from the other body will receive a hearing in the Senate Health Care Committee. I appreciate the comments by the good Senator."

The motion by Senator Fain carried by voice vote and the measures listed were referred to the committees as designated.

## MOTION

On motion of Senator Fain, the Senate advanced to the eighth order of business.

## MOTION

Senator Hasegawa moved adoption of the following resolution:

## SENATE RESOLUTION

8618

By Senators Hasegawa, Conway, Ranker, Hobbs, Kohl-Welles, Dammeier, Fraser, Braun, Roach, Hill, Rolfes, Harper, Murray, Nelson, Shin, Kline, and Schlicher

WHEREAS, Seventy one years ago, on February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the forced assembly, evacuation, and internment of approximately 13,000 Japanese-Americans residing in the state of Washington; and

WHEREAS, The order for assembly and detention at Camp Harmony on the Puyallup Fairgrounds in Puyallup, Washington, prior to evacuation and subsequent internment caused Japanese-Americans from the state of Washington to lose millions of dollars in property and assets, to suffer immeasurable physical and psychological damage, and to be deprived of their constitutional liberties without due process of law; and

WHEREAS, The alleged purpose of this drastic course of action was to prevent Japanese-Americans, all of whom were deemed disloyal and untrustworthy, from committing acts of espionage and

sabotage against the United States during the period of its involvement in World War II; and

WHEREAS, In 1943, an overwhelming number of Japanese-Americans from the state of Washington responded to questions of their loyalty and patriotism by volunteering from within barbed wire camps to serve in the United States Army, amassing a battle record that is unmatched in United States military history with seven Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 1 Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 15 Soldier's Medals, 9,486 Purple Hearts, and a total of 16 decorations from France and Italy; and

WHEREAS, A few equally patriotic Japanese-Americans, like Minoru Yasui, Fred Korematsu, and University of Washington student Gordon Hirabayashi who passed away on January 2, 2012, were willing to face imprisonment to seek justice by challenging the constitutionality of the evacuation and internment orders; and

WHEREAS, Through the fact-finding work of the Commission on Wartime Relocation and Internment of Civilians, the United States Congress later found "there was no military or security reason for the internment" of individuals of Japanese ancestry, it "was caused by racial prejudice, war hysteria, and a failure of political leadership;" and

WHEREAS, In 1976 President Gerald Ford formally rescinded Executive Order 9066 saying, "I call upon the American people to affirm with me this American Promise--that we have learned from the tragedy of that long-ago experience forever to treasure liberty and justice for each individual American, and resolve that this kind of action shall never again be repeated;" and

WHEREAS, In 1988 President Ronald Reagan signed the Civil Liberties Act apologizing to the survivors of internment camps saying, "what is most important in this bill has less to do with property than with honor. For here we admit a wrong; here we reaffirm our commitment as a nation to equal justice under the law.;" and

WHEREAS, In 2010, the United States Congress recognized the unparalleled record of Nisei soldiers by authorizing the creation of "a single gold medal of appropriate design to the 100th Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army" and, in November 2011, President Barack Obama bestowed this highest civilian honor on these units collectively; and

WHEREAS, Throughout Washington state, survivors of the European and Asian battlefields of World War II and of American internment camps continue to live their golden years quietly, in unassuming contrast to their extraordinary acts of patriotism and valor;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate, along with the people of Washington, pause to acknowledge the seventy-first anniversary of the signing of Executive Order 9066, the seventieth anniversary of the establishment of the 442nd Regimental Combat Team, the twenty-fifth anniversary of the signing of the Civil Liberties Act, and to recognize the Japanese-American internees and World War II veterans from the state of Washington, to honor their patience, heroism, sacrifice, and loyalty, and to remember the lessons and blessings of liberty and justice for all; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Nisei Veterans Committee, the Military Intelligence Service - Northwest Association, the Japanese-American Citizens League, the Japanese Cultural & Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

THIRTY THIRD DAY, FEBRUARY 15, 2013

Senators Hasegawa, King, Hobbs, Brown, Murray, Rolfes, Conway, Fraser, Pearson, Kohl-Welles, Honeyford and Schlicher spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8618.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members and representatives of the Nisei Veterans Committee, Seattle including, Vice-Commander Allen Nakamoto and Chaplain Sam Mitsui who were seated in the gallery.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed representatives of the Seattle Chapter of the Japanese American Citizens League, the nation's oldest and largest Asian American civil rights organization, and representatives of Nikkei Concerns, an organization which provides health and related services in a traditional atmosphere to primarily elderly Nikkei (Japanese) in the Pacific Northwest, who were all present in the gallery.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced participants in the Japanese Queen Scholarship Organization of Washington, 2012: Queen Yuna Marie Nishimoto; First Princess and Miss Tomodachi Taryn Lee Imanishi; and Princess Nicole Ruriko Lee who were present in the gallery.

#### REMARKS BY THE PRESIDENT

President Owen: "The President welcomed and introduced former Senator George Fleming who served south Seattle from 1971 through 1990 and sponsored Senate Bill 3163, an act relating to war reparations, during his tenure and was present in the gallery. The President noted that Senator Fleming set several records during his days as a University of Washington football player – one lasting for decades before it too, finally, fell."

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Toshiko Hasegawa, the youngest daughter of Senator Hasegawa, who was present in the gallery.

#### PERSONAL PRIVILEGE

Senator Hasegawa: "Thank you Mr. President, as you know my first speech has been going on for about a month and a day now. I finally have the occasion to offer my appreciation to you all for having suffered through my lengthy first speeches that's lasted over a month and a day. So, you know, Renton which is the heart of my district, started off as a coal mining town and so, as a token of my appreciation to you all, I have lumps of coal. These are diamonds in the rough. All you have to do is, which we all know how to put pressure on things to get it done. I'm sure we can put enough pressure on these to create fine jewels. But, do not despair, the Eleventh district is probably the most strategically important transportation district in the Pacific Northwest because the district stretches from the cranes of the Port of Seattle all the way through the intermodal rail hubs. It's the intersection of major interstate, commerce. It's where the warehousing and

manufacturing and industrial centers are in south Seattle and south central King County. So, as everybody's been keeping tally and you expected my seat mate back here to present you with a car from Puyallup, I imagine you were probably expecting maybe a 737 Max or something from Renton. Well I can't afford that but in your gift bags that are being distributed there's a little airplane eraser. I don't know if that counts. So, add that to the mix. There is a, in recognition of the internationalism of the Eleventh district, there's a little red envelope. In Chinese tradition, they offer red envelopes for good fortune and it's, you just put a little token of money in it so that's to wish you all good fortune for the coming year. There are also a few chocolates from Seattle Chocolate company which is located in Tukwila, Washington. And you will find a bag of Starbucks coffee which is enough to brew you one little pot at least. I didn't want to go broke on, but you were expecting much so hopefully much will be given. There's also, maybe I should of given this to you before you had to suffer through my speech, but a bottle of fine imported Sake handpicked by the owner of Uwajimaya which is within my, an Asian grocery store, which is in my district. Along with some of Japanese milk candy. Then to top it off, Boeing Field is in my district. It used to heart of the district now it's on the periphery of it but you know every 737, formally 757, that were built out of the Renton plant had to go through Boeing Field before it was, they were shipped off to their customers. Well, you know you all did a fantastic job of helping us build the Museum of Flight at the sound end of Boeing Field and, through the graciousness of the Museum of Flight, you'll also find two passes to the Museum of Flight in the district which is actually pretty valuable but I would like to thank Bonnie Dunbar, who is the former Executive Director there. She is a local astronaut from Sunnyside, actually, who has been on five space shuttle missions and helped me get those for you. But, what I wanted to say about that was you all funded, you passed a resolution a few years ago that was a Joint Memorial to Congress, normally we just call them Christmas letters, letters to Santa but this one actually returned a benefit because we actually did get a space shuttle training unit and you all also voted to provide funding to help build the enclosure there. It's a beautiful facility. I really hope you, it's amazing to see even when you're driving past in front, the space shuttle behind this glass wall inside the building that you all help build. So, in recognition of this, I'm getting the cut signal, so when I spoke to the bill on the House floor I got to say, 'Kapla', 'live long and prosper,' and 'make it so,' and I would like to repeat that in the Senate because I want to be the first to speak Klingon on the Senate floor. Thank you very much."

#### PERSONAL PRIVILEGE

Senator Schoesler: "Thank you. First to the members of the body, our side has a new Floor Leader. If I was the Floor Leader, already I would of revoked Rule 29, long ago today. Seeing the new gentleman here and finally getting the gifts, Mr. President, I thought he was part of Senator Padden's class last year he gave so many speeches. I was going over and thinking about the good Senator and I saw the coal and I was so happy to see he's endorsed more coal trains coming to our ports. The enlightened attitude of new freshman senators is always very welcome. And going through the gifts it reminded me of when new banks used to open. They always had many small gifts for their new depositor's. Well, knowing his interest in banking, I think he's already found ideas for the gifts for his bank he wants to create. So, in closing Mr. President. I would offer this to the gentleman from the Eleventh district, the key to my twenty-one years of political success is brevity. Please use it."

## PERSONAL PRIVILEGE

Senator Hargrove: “Well thank you Mr. President. Well, first of all one of the Senate Rules says that the number of gifts needs to be in proportion to the number of speeches and so, even though we got a whole lot of gifts here, by my calculation. You’re still short by the length of the speech so we need a few more. The next thing is we are very concerned about accuracy and this is not Klingon. Its Vulcan. You must not be a Trekkie. That’s all I can say there. The last thing is, we really appreciate the coal and looking for the diamond in it. I’m sure we’ll be looking for the diamond in you for some time. But you know we know it’s in there some place and we really appreciate coming to the senate and looking forward to working with you. Welcome.”

## PERSONAL PRIVILEGE

Senator Sheldon: “Thank you Mr. President. I too want to rise and welcome Senator Hasegawa to the floor of the Senate. I enjoyed your resolution and, like every organization, we have a budget. And the senate has a very tight budget and I just wanted to warn any member, if you ever make a motion to have any remarks by Senator Hasegawa spread upon the journal we are going to create several new jobs and bust the budget here in the senate.”

## INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced former Governor Mike Lowry who was seated in the gallery.

## MOTION

At 11:05 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:38 a.m. by President Owen.

## MOTION

On motion of Senator Fain, the Senate reverted to the sixth order of business.

## MOTION

On motion of Senator Billig, Senators Harper and Shin were excused.

## SECOND READING

SENATE BILL NO. 5082, by Senators Benton and Smith

Concerning exchange facilitator requirements.

## MOTION

On motion of Senator Benton, Substitute Senate Bill No. 5082 was substituted for Senate Bill No. 5082 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Benton moved that the following amendment by Senators Benton and Hobbs be adopted:

On page 1, line 16, after "means" strike "any crime" and insert "crimes"

On page 7, line 32, after "through" strike "(8)" and insert "((8)) (9)"

Senators Benton, Hobbs and Hargrove spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Benton and Hobbs on page 1, line 16 to Substitute Senate Bill No. 5082.

The motion by Senator Benton carried and the amendment was adopted by voice vote.

## MOTION

On motion of Senator Benton, the rules were suspended, Engrossed Substitute Senate Bill No. 5082 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Smith spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5082.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5082 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Excused: Senators Harper and Shin

ENGROSSED SUBSTITUTE SENATE BILL NO. 5082, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5161, by Senators Braun, Carrell, Padden, Bailey, Becker, Fain, Roach, Sheldon, Dammeier, Honeyford, Schoesler, Conway, Rolfes and Kohl-Welles

Authorizing certain eligible family members of United States armed forces members who died while in service or as a result of service to apply for gold star license plates.

The measure was read the second time.

## MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5161 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Eide spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5161.

THIRTY THIRD DAY, FEBRUARY 15, 2013

2013 REGULAR SESSION

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5161 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Excused: Senators Harper and Shin

SENATE BILL NO. 5161, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## PERSONAL PRIVILEGE

Senator Braun: "Thank you Mr. President. With your permission I would like to turn and address my fellow senators? Thank you for the warm welcome to the State Senate. I'm pleased to be here and I'm pleased to present gifts to each of you and in doing so to introduce you to the Twentieth legislative district. My first gift is being delivered as we speak and it's a small sampler of genuine Chehalis flood water and mud. So, just to alleviate any concerns that the President might have, it's not for consumption. It is, however, very powerful. In fact, used in the appropriate quantities, it will completely shut down I-5. I present this to you as a means of thanking you for the support the legislature has provided as we work towards a long term solution to the flooding in the Chehalis River basin. This is a problem we've struggle with for over a hundred years and thanks to your support and the work of elected officials and tribal officials and citizens throughout the basin, we're on a path to solving this problem permanently. I ask you for your continued support as we work through this next phase. There's also a gift bag coming around and it contains three gifts from three great family companies in my district and I'd like to talk about each of them briefly. The first one is small company and from them, the company is Chehalis Mints and I present a small box of their world famous mints. Chehalis Mints is a very small company. It started in 1994 by Mike and Sue Schofield and it's run almost entirely by three people; Jennifer, Sue and Jeff Schofield. The mint is grown in Eastern Washington and it is converted to essential oil by I. P. Callison & Sons, another great company started in Chehalis. The mint is then mixed with gourmet chocolate to make butter mints, milk chocolate mints and dark chocolate mints. Each candy is hand poured, hand wrapped and hand packaged and I commend them to you. The next company is a medium sized company and I present a ball cap and a key chain. This is my own family's company, established in Chehalis in 1986. We build specialty emergency vehicles such as ambulances, rescue vehicles and command vehicles. Over the last twenty six years, we've grown from four employees to one hundred fifty employees. The best employees in the Northwest I might add. We proudly serve over a hundred public and private customers throughout the western United States, Alaska and Hawaii and nearly two hundred customers right here in our great state of Washington. If you look carefully, you'll see our vehicles in your own communities reliably serving your friends, families and neighbors when they need it most. A and finally, the large company, I don't think the goods have shown up yet, I'd like to present a certificate for a box of frozen vegetables from National

Frozen Foods. I would have presented the actual box but I understand that, from the earlier ruling, that, Mr. President, you have a particular opposition to frozen foods on the floor. Instead the box will be delivered to your individual offices. National Frozen Foods has been bringing the highest quality Northwest foods and vegetables or fruits and vegetables to the nation since 1912. They originally started in Chehalis. They are now headquartered in Seattle and have operations throughout the state, including Chehalis. They offer repackaging of retail and food service poly bags, bulk food service cases and bulk industrial totes. They produce about one hundred ten million pounds annually and, at their Chehalis facility, they have four freezing tunnels, forty five tons per hour capacity, they have organic certification, ninety million pounds of cold storage capacity and packaging operations of two hundred million pounds of annual capacity. Again, I thank you for the warm welcome. I look forward to working with each of you. Thank you."

## PERSONAL PRIVILEGE

Senator Chase: "Thank you Mr. President. I would like to point out that my colleague, Senator Braun, delivered your package first. I believe he is attempting to curry some special favor with giving you that sack which I still haven't received. Thank you for coming for eventually for this gift and welcome to the Senate."

## REMARKS BY THE PRESIDENT

President Owen: "The President would note an irony today or whatever the word is, I'm not sure. Normally I get it last but today I received a lump of coal first and I did receive dirty muddy flood water first. I don't know if there is a message there but..."

## PERSONAL PRIVILEGE

Senator Holmquist Newbry: "Thank you Mr. President. I just wanted to welcome the new Senator from the Twentieth district, Senator John Braun. I think he's not a typical freshman, to the point here that he was such a pro here with his maiden bill and maiden speech that many of us were unaware that he is a freshman. Sitting with him on the committee that he chairs the Economic Development Committee as well as Vice Chairs with me, the Commerce and Labor Committee, I can just say is a breath of fresh air. You have a savvy common sense, business sense as well as a demeanor that is going to bring a lot to this body and we welcome you whole-heartedly."

## PERSONAL PRIVILEGE

Senator Carrell: "Thank you Mr. President. Well, I'm looking at this bottle and there's always a question. I'm looking at the level of the liquid in there and some people ask, 'Is it half empty or is it half full?' The question I always ask myself, 'Is it drinkable and after shaking this, I know the answer.'"

## PERSONAL PRIVILEGE

Senator Schoesler: "I've heard the young gentleman's remarks today and I heard and I heard them and I heard them. After his election I went and visited him at his company and I've had him in leadership meetings, committee meetings, caucus meetings and every other meeting. He's said more in one floor speech than he had since I met him. And as the gentle lady from the Thirteenth district spoke and I thought about it. And the part about the three hundred Spartans in his floor speech, doesn't it

remind you of Harold Hochstatter? I really didn't know that Harold Hochstatter had come back to us in a new form because only Harold could of recited that so eloquently. So, now that we know you can speak, eloquently, and please, feel free to do so again."

PERSONAL PRIVILEGE

Senator Honeyford: "I'm trying to figure out the significance of this. We've been in committee. We heard of the millions of dollars they want in the Chehalis Basin for flood control and I've had a visit from the good senator. So, I don't know if it's a gift or non-gift but I didn't receive any of that dirty flood water, so, I'm trying to figure out what the importance of that is. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. Well, I really welcome Senator Braun to this body. You know if you drive down the freeway going through Chehalis you will notice Braun Enterprises, I believe it is, on the left hand side going south. It's pretty impressive but I have to tell you I'm really glad. I've been around that district a lot and I have traveled from one end to the other and I'm glad you gave us the dirty water because there is a another big thing that is in his district and it's the Centralia Cattle Auction and it could have been something else. Thank you."

PERSONAL PRIVILEGE

Senator Dammeier: "I hope to rise in support of my good colleague from the Twentieth being a fellow Naval Officer and served in the Submarine Navy. However, I have a question of rule interpretation for the President. I realize that the good senator is new to the legislative body but he may not be aware of the rule about impugning others. And Mr. President, when he got up and said that his employees are the absolute best in the Northwest, the employees that work for a company that I am part of felt impugned and I personally was insulted. Mr. President so I would appreciate your admonishing the good senator from the Twentieth about such in bold statements."

REPLY BY THE PRESIDENT

President Owen: "I'll take it under consideration. I think the rule is insulting you, not the employees, and then I'll still take it under consideration."

PERSONAL PRIVILEGE

Senator Fain: "I was just thinking back with all of these great new freshman that have joined, excuse me, first-year legislators, my apology Senator Kohl-Welles, that have joined this body and then I thought back to when Senator Litzow and Senator Hill, Baumgartner and myself were new and came in. We probably spoke of a grand total of about between four and five minutes collectively between the three of us on the floor the entire first year we were here and it worked out really well for us. So, that's just a piece of advice that I might pass on our very precocious new members."

PERSONAL PRIVILEGE

Senator Parlette: "Thank you Mr. President. I would like to welcome all of you to join the Majority Caucus room, if you would like. Today is my assistant's Shiloh's last day after serving ten years with me after serving as an intern in the year 2003. Please join me. Thank you."

MOTION

At 12:08 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 noon, Monday, February 18, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate



5082	Second Reading.....	8	5795	Introduction & 1 <sup>st</sup> Reading.....	4
5082-S	Second Reading.....	8	5796	Introduction & 1 <sup>st</sup> Reading.....	5
	Third Reading Final Passage .....	8	5797	Introduction & 1 <sup>st</sup> Reading.....	5
5097	Committee Report .....	1	5798	Introduction & 1 <sup>st</sup> Reading.....	5
5161	Second Reading.....	8	5799	Introduction & 1 <sup>st</sup> Reading.....	5
	Third Reading Final Passage .....	9	5800	Introduction & 1 <sup>st</sup> Reading.....	5
5188	Committee Report .....	1	5801	Introduction & 1 <sup>st</sup> Reading.....	5
5195	Committee Report .....	1	5802	Introduction & 1 <sup>st</sup> Reading.....	5
5209	Committee Report .....	1	5803	Introduction & 1 <sup>st</sup> Reading.....	5
5281	Committee Report .....	1	5804	Introduction & 1 <sup>st</sup> Reading.....	5
5358	Committee Report .....	1	5805	Introduction & 1 <sup>st</sup> Reading.....	5
5404	Committee Report .....	1	8008	Introduction & 1 <sup>st</sup> Reading.....	5
5415	Committee Report .....	2	8210	Introduction & 1 <sup>st</sup> Reading.....	5
5420	Committee Report .....	2	8618	Adopted.....	7
5430	Committee Report .....	2		Introduced.....	6
5471	Committee Report .....	2	9064 Alfie Alvarado-Ramos	Introduction.....	3
5489	Committee Report .....	2	9065 John R. Batiste	Introduction.....	3
5509	Committee Report .....	2	9066 Michael Cockrill	Introduction.....	3
5558	Committee Report .....	2	9067 Bret Daugherty	Introduction.....	3
5622	Committee Report .....	2	9068 Dale R. Peinecke	Introduction.....	3
5627	Committee Report .....	2	9069 Kevin Quigley	Introduction.....	3
5646	Committee Report .....	2	9070 Joel Sacks	Introduction.....	4
5673	Committee Report .....	3	9071 David Schumacher	Introduction.....	4
5709	Committee Report .....	3	MESSAGE FROM GOVERNOR	Gubernatorial Appointments .....	3
5736	Committee Report .....	3	PRESIDENT OF THE SENATE	Intro. Special Guest, former Governor Lowry .....	8
5786	Introduction & 1 <sup>st</sup> Reading .....	4		Intro. Special Guest, Toshiko Hasegawa.....	7
5787	Introduction & 1 <sup>st</sup> Reading .....	4		Intro. Special Guests, Japanese Queen Scholarship	
5788	Introduction & 1 <sup>st</sup> Reading .....	4		Orgainzation .....	7
5789	Introduction & 1 <sup>st</sup> Reading .....	4		Intro. Special Guests, members of the Japanese American	
5790	Introduction & 1 <sup>st</sup> Reading .....	4		Civil League .....	7
5791	Introduction & 1 <sup>st</sup> Reading .....	4		Intro. Special Guests, Nisei Veterans Committee members..	7
5792	Introduction & 1 <sup>st</sup> Reading .....	4		Remarks by the President.....	7, 9
5793	Introduction & 1 <sup>st</sup> Reading .....	4		Reply by the President .....	10
5794	Introduction & 1 <sup>st</sup> Reading .....	4	WASHINGTON STATE SENATE	Personal Privilege, Senator Becker.....	10
				Personal Privilege, Senator Braun.....	9
				Personal Privilege, Senator Carrell .....	9
				Personal Privilege, Senator Chase.....	9
				Personal Privilege, Senator Dammeier.....	10
				Personal Privilege, Senator Fain .....	10
				Personal Privilege, Senator Hargrove .....	8
				Personal Privilege, Senator Hasegawa .....	7

THIRTY THIRD DAY, FEBRUARY 15, 2013

2013 REGULAR SESSION

Personal Privilege, Senator Holmquist Newbry .....9  
Personal Privilege, Senator Honeyford.....10  
Personal Privilege, Senator Parlette.....10  
Personal Privilege, Senator Schoesler .....7, 9

Personal Privilege, Senator Sheldon ..... 8  
Remarks by Senator Fain ..... 6  
Remarks by Senator Frockt..... 6